



The State Senate
Senate Research Office

Telephone
404/656-0015

204 Paul D. Coverdell Legislative Office Building
18 Capitol Square
Atlanta, Georgia 30334

Fax
404/657-0929

2006 PRELIMINARY SESSION HIGHLIGHTS

This document is a preliminary report of selected legislation passed by the 2006 Georgia General Assembly, and is intended to provide a general overview only. This document also contains an index of passed legislation. A final report will be issued following the time allotted the Governor to sign and veto bills. If further detail on legislation is needed, please contact the Senate Research Office.

The following issues are found on the corresponding page numbers:

| | |
|---------------------------------------------------|----------------|
| • APPROPRIATIONS | Page 1 |
| • AGRICULTURE AND CONSUMER AFFAIRS | Page 2 |
| • BANKING AND FINANCIAL INSTITUTIONS | Page 3 |
| • ECONOMIC DEVELOPMENT | Page 3 |
| • EDUCATION AND YOUTH AND HIGHER EDUCATION | Page 3 |
| • FINANCE | Page 8 |
| • HEALTH AND HUMAN SERVICES | Page 9 |
| • INSURANCE AND LABOR | Page 11 |
| • INTERSTATE COOPERATION | Page 11 |
| • JUDICIARY | Page 12 |
| • NATURAL RESOURCES AND THE ENVIRONMENT | Page 14 |
| • PUBLIC SAFETY AND HOMELAND SECURITY | Page 14 |
| • REGULATED INDUSTRIES AND UTILITIES | Page 17 |
| • RETIREMENT | Page 18 |
| • RULES | Page 18 |
| • SCIENCE AND TECHNOLOGY | Page 19 |
| • SPECIAL JUDICIARY | Page 19 |
| • STATE AND LOCAL GOVERNMENTAL OPERATIONS | Page 19 |
| • STATE INSTITUTIONS AND PROPERTY | Page 21 |
| • TRANSPORTATION | Page 22 |
| • VETERANS AND MILITARY AFFIARS | Page 23 |
| • INDEX OF PASSED LEGISLATION | Page 25 |

APPROPRIATIONS

HOUSE BILL 1027

APPROPRIATIONS ACT - FY 2006-2007

The Fiscal Year 2006-2007 Appropriations Act was in the amount of \$18,654,564,058. It is approximately one billion dollars more than the previous fiscal year's Appropriation Act.

Some of the highlights include:

- Pay raises: state employees will receive between 2 and 4 percent; teachers will receive a 4 percent raise; public safety will receive an additional 3 percent increase for State Patrol, Georgia Bureau of Investigation, Correctional Officers and other state law enforcement officers.
- The Department of Administrative Services, Georgia Technology Authority, will receive \$4 million for the Wireless Broadband for rural Georgia.
- The Department of Corrections will receive funds to create over 900 beds. This will provide a total of 4400 beds with the Fiscal Year 2006 amended budget and the Fiscal Year 2007 budget combined.
- The Department of Economic Development will receive \$250,000 for Global Commerce to open an office in China for economic development, and \$500,000 new funds for marketing Georgia's tourism efforts.
- The Department of Education – to support the Governor's initiatives for classroom supplies for teachers at \$10,000,000, High Performing Principals at \$2,250,000 to lead, and \$15,429,069 funding for High School Completion Counselors to assist with the new Drop-Out Prevention Program. It provides \$400,000 additional funds to train those counselors. Additionally, it provides \$1,400,000 in funds to establish a summer remedial education program for eligible students -Grades 6-8 and increases Media Materials funding by \$5,000,000.
- Public School Employee Retirement System is enhanced for foodservice workers and school bus drivers by increasing their benefit rate from \$13.50 to \$14.50 per month.
- The Department of Natural Resources is provided an increase to the Solid Waste Trust Fund by \$4,500,000, and will also receive \$50,000 for the Civil War Commission for Civil War Battlefields and Cemeteries.
- Department of State - Professional Licensing Boards, will receive \$100,000 for the Massage Therapy Board.
- Georgia Cities Foundation will receive \$500,000 for a downtown development revolving loan program.
- The Department of Human Resources will receive \$500,000 for breast cancer research, \$1.6 million to expand their newborn screening initiatives, and \$1 million for Trauma Network Funding to subsidize designated trauma centers.

HOUSE BILL 1026

SUPPLEMENTAL APPROPRIATIONS ACT - FY 2005-06

The Supplemental Appropriations Act for the Fiscal Year 2005-2006 was in the amount of \$17,850,546,801. The original Appropriations Act for this fiscal year, House Bill 85, approved May 10, 2005, appropriated \$17.4 billion. House Bill 1026 provided approximately one half billion dollars in additional funds.

Some of the highlights of the increased funding include:

- The Judicial Council will receive \$200,000 for the National Highway Safety Demonstration project, which funds three pilot DUI Courts; and, \$333,333 to provide staffing for the Georgia Alliance for Drug Endangered Children.

- The Department of Community Affairs will receive \$13 million to recognize federal grant funds to the Federal Community and Economic Development Programs; \$3 million to increase state funds for critical state economic development programs; and, \$200,000 to provide state funds to develop a statewide, comprehensive approach to energy efficiency and conservation planning in the Georgia Rural Water Association and the Infrastructure Grant Program.
- The Department of Community Health will receive \$46 million for the remaining payments to Copeland & Glenn Southeast, LLC for accounting procedures to lever more federal funds and Maximus for CMO/ASO work and computers for the department; \$14 million to contract with the enrollment broker for Georgia Healthy Families managed care program; \$7.6 million for the DHR contract Right from the Start Medicaid program; \$1 million for a pilot project in Liberty County with the Community Health Centers in the Health Care Access and Improvement Program; and \$232,118,461 to increase funds appropriated from employer and employee contributions for the State Health Benefit Plan
- The Department of Corrections will receive \$3,175,805 for additional funds for jail subsidies; \$11 million for additional health care services for inmates; \$5.8 million in start-up and operational funding for 768 inmate beds at four vacant Probation Detention Centers; \$1.6 million for an additional 918 beds at existing facilities; and \$1.4 million for 1,348 temporary beds at existing facilities.
- The Department of Education will receive over \$12 million in funds for equalization grant funding to reflect millage rate increases and mid-term adjustment for the Equalization Grant Program; \$145 million for the mid-term adjustment for QBE to reflect enrollment growth of 2.5 percent; and \$500,000 to help local school systems with the increased fuel costs for their transportation programs.
- The Department of Human Resources will receive \$28 million in state and federal funds for the Statewide Automated Child Welfare Information System; \$4.1 million to the Energy Assistance Program; \$2.5 million to state hospital facilities to cover deficits; and \$7.6 million in additional dollars for families who do not meet the new criteria for the Katie Beckett Waiver Program.
- The Georgia Bureau of Investigation will receive \$250,000 state dollars for grants to assist Georgia's Sheriffs in the implementation of court house security plans.
- The Department of Juvenile Justice will receive \$8.1 million in federal and state funds for the Children and Youth Coordinating Council program that assists local communities in preventing and reducing juvenile delinquency.
- The Department of Labor will receive \$1,669,034 million for the Workforce Development Program to provide additional funding for career centers and fairs for Hurricane Katrina evacuees.
- The State Election Board will receive \$550,000 to outfit all county boards of registrars with the necessary equipment to produce the Georgia Voter Identification Cards in compliance with SB 84.
- The Department of Transportation will receive \$47,287,266 from state motor fuel funds to provide for the local road initiative "Paving the Way" by increasing the local assistance road program (LARP) from \$38 million to \$60 million.

AGRICULTURE AND CONSUMER AFFAIRS

SENATE BILL 380

EQUINE COMMODITY COMMISSION

Senate Bill 380 creates an agricultural commodity commission for the promotion and marketing of equines. The commission will be composed of: the Commissioner of Agriculture, ex officio; the president of the Georgia Farm Bureau, ex officio; two members

each selected by the Senate and House Agriculture and Consumer Affairs Committees respectively who are producers and not members of the General Assembly; and five additional members to be appointed by the members of the commission, at least four of which must be producers. The commission will be funded by sales from special license plates.

SENATE BILL 588

PUBLIC DISPLAY OF SOCIAL SECURITY NUMBERS

Senate Bill 588 prohibits a person, firm, or corporation from publicly displaying an individual's social security number ("SSN") or requiring such individual to use his or her SSN to access an Internet website, unless an authentication devise is also required to access the Internet website. Use of an individual's SSN is not prohibited when it is required by law, for internal verification or administrative purposes, or part of an application or contract.

BANKING AND FINANCIAL INSTITUTIONS

SENATE BILL 505

MORTGAGE LENDER LICENSE

Senate Bill 505 exempts a natural person from obtaining a mortgage broker or mortgage lender license if that person is under an exclusive written independent contractor agreement with any person that is a wholly owned subsidiary of a financial holding company, bank holding company, savings bank holding company, or thrift holding company. The subsidiary must meet the following requirements:

- Have a surety bond equal to the lesser of \$1 million or \$50,000 per exempt person to cover all persons;
- Have a mortgage broker or mortgage lender license; and
- Has paid the applicable fees for such license which must be the lesser of one-half of the sum of the cost of the individual licenses or \$100,000.

To maintain the exemption, a natural person must negotiate a mortgage loan only for a licensed person or an affiliate of such person and remain in compliance with the provisions and prohibitions of licensing of mortgage lenders and mortgage brokers.

ECONOMIC DEVELOPMENT

HOUSE BILL 1168

GEORGIA'S WINERIES' TASTING ROOMS

House Bill 1168 allows licensed farm wineries in Georgia to use one of their five off-premises tasting room licenses to be used at festivals. "Festival" is defined as an outdoor public celebration or gathering for which a license or permit has been issued by the appropriate governing authority. The festival must use either public parks or public streets and include entertainment, dancing, music, dramatic productions, art exhibition, parades, or the sale of merchandise, food or alcohol, or any combination of the foregoing. Festival does not include events which are solely parades, foot races, or political demonstrations unless they are proposed as an integral part of a larger festival.

EDUCATION AND YOUTH

SENATE BILL 79

BIBLE STUDY ELECTIVE COURSE

The opportunity for Georgia students to study the Bible as an elective course in high school became a hot topic during the 2006 Legislative Session. Senate Bill 79 was introduced to provide all public schools with grades nine and above the option to make available to eligible students, a Bible study elective course. The State Board of Education must adopt curriculum by February 1, 2007, for such elective courses in the History and Literature of the Old Testament Era (Old Testament Era) and the History and Literature of the New Testament Era (New Testament Era).

The Old Testament and the New Testament will be the basic text for each course. The courses must:

- Be taught in an objective and non devotional manner with no attempt to indoctrinate students as to either the truth or falsity of the biblical materials or texts from other religious or cultural traditions;
- Not include teaching of religious doctrine or sectarian interpretation of the Bible or of texts from other religious or cultural traditions; and,
- Not disparage or encourage a commitment to a set of religious beliefs.

Additionally, students may be assigned a range of reading materials for the courses, including selections from secular historical and cultural works and selections from other religious and cultural traditions. The local board of education may recommend which version of the Old or New Testament may be used; however, the teacher of the course will not be required to adopt that recommendation but may use another version.

SENATE BILL 390

CLASSROOMS FIRST FOR GEORGIA

Governor Perdue's Education Agenda for 2006 included legislation that requires local school systems to spend a minimum of 65 percent of its total operating expenditures¹ on direct classroom expenditures², beginning with Fiscal Year 2008. The Governor believes that school districts that spend a greater percentage in the classroom have higher student achievement than districts that spend lower percentages in the classroom.

Direct Classroom Expenditures Less than 65 Percent

If a local school system spends less than 65 percent of its total operating expenditures on direct classroom expenditures, the system must increase its direct expenditures by a minimum of two percent each fiscal year, as a percentage of its total operating expenditures, until it reaches the 65 percent goal.

Achievement and Hardship Waivers for School Systems

School systems that are unable to meet the above expenditure requirements may apply to the State Board of Education (Board) for a one-year renewable achievement waiver or a one-year renewable hardship waiver.

The achievement waiver request must include evidence that the school system is exceeding the state averages in academic categories designated by the Board; a plan for obtaining compliance with the 65 percent expenditure requirement; and, any other information required at the discretion of the Board.

The hardship waiver will be limited to extreme situations wherein such situation is solely responsible for the school system's inability to meet the 65 percent expenditure requirement. Such situations may include, but are not be limited to, acts of God and inordinate unexpected increases in energy and fuel costs. The hardship waiver request must include revenue and expenditure reports and specific details providing compelling evidence as to the impact that the intervening extreme situation had on the school system's ability to comply with expenditure requirements and any other information required at the discretion of the Board.

Board Imposed Sanctions for Failing to Meet Expenditure Requirements

The Board may impose discretionary sanctions on those school systems that fail to comply with the expenditure requirements. Sanctions may include requiring the local school system to devise and implement a plan to meet the expenditure requirements or withholding all or any portion of state funds.

¹ "Total operating expenditures" are defined as all operating expenses during a fiscal year which include expenditures from federal, state, and local funds and from any other funds received by a local school system. However, this term does not include capital outlay expenditures, debt or bond payments, interest on debt or bonds, facility leases, or rental payments. Also, this term does not include any costs which are incurred by a local school system to comply with any mandate by statute or by the Georgia Department of Education to add specific non-classroom staff positions, effective January 1, 2006.

² "Direct classroom expenditures" are defined as all expenses during a fiscal year for activities directly associated with the interaction between teachers and students, such as salaries and benefits, instructional materials and supplies costs, and classroom related activities costs, such as field trips, physical education, music and arts.

Expenditure Controls

Fiscal Years 2007 and 2008 are added to a provision in the Georgia Code which will allow school systems flexibility from site-based expenditure controls. This provision will automatically be repealed on July 1, 2008.

SENATE BILL 413

PARENTAL CONSENT FOR WITHDRAWAL FROM SCHOOL AND JOINING CLUBS

Student Withdrawal from School

Georgia's high school dropout rate has become a major concern for legislators. In order to combat this issue, the legislature passed Senate Bill 413 which requires an unemancipated minor³ who is older than sixteen, has not completed all the requirements for a high school diploma, and wishes to withdraw from school to have written permission from a parent or legal guardian before withdrawing. By January 1, 2007, a policy for such a process of voluntary withdrawal must be adopted by every local board of education (local board) and filed with the Department of Education.

However, prior to accepting such permission, the school principal or designee must convene a conference with the student and parent or guardian, within two school days of receiving the student's intent to withdraw notice. The principal must make a reasonable attempt to share with the student and parent the opportunity for the student to pursue a GED diploma and the consequences of not earning a high school diploma⁴.

Student Participation in Clubs and Organizations

The legislature considered two policy options for addressing parents desire to know what clubs are available for their child to join in high school. Legislators chose between opt-out and parental permission bills. The opt-out format received final passage and allows parents to withhold their permission for their child to join or participate in clubs or organizations.

At the beginning of each school year, parents or legal guardians will receive information regarding school clubs and organizations in the student code of conduct within the student handbook which will be distributed annually by the local board. Information about the club will include: the name; the mission or purpose; the faculty advisor's name; and, a description of past and/or planned activities.

The local board will solicit or require signatures or confirmation of receipt of the student code from students and parents. A form for acknowledging such receipt by the parent will be included in the student code and may also be used for a parent to decline permission for his/her student to participate in a club or organization. A parent that does not acknowledge such receipt will not be absolved of any responsibility with respect to the information contained in the student code.

The student code of conduct will also include information that encourages parents and guardians to inform their children of the consequences, including potential criminal penalties, of underage sexual conduct and crimes for which a minor can be tried as an adult.

SENATE BILL 468

HIGH PERFORMANCE PRINCIPALS

Governor Perdue's 2006 Education Agenda included recruiting proven High Performance Principals (Principals) to lead Needs Improvement middle and high schools⁵ as a means of raising student achievement throughout the state. The State Board of Education (Board) will establish a grant program to attract such Principals. The High Performance Principals Grant Program (Grant Program) will include funding, appropriated by the General Assembly, for grants from the Board to local boards of education (local boards) for salary supplements for these Principals.

³ An unemancipated minor is one who remains under the control of his parents until he reaches 18 years of age, as defined by § 19-7-1 of the O.C.G.A.

⁴ Such consequences include lower lifetime earnings, fewer jobs for which the student will be qualified, and the inability to avail oneself of higher educational opportunities.

⁵ "Needs Improvement School" is defined as a school that has not made adequate yearly progress for two or more consecutive years in the same subject, in accordance with the accountability system created by the Office of Student Achievement.

The sole criteria for designating and selecting an individual as a High Performance Principal must be data-based evidence of the Principal's effectiveness in improving a low performing school, or in taking an average or excellent performing school to higher achievement within the last five years. Other criteria may be considered by the Board at its discretion and only in extenuating circumstances. The Board must also establish and maintain a nonexclusive pool of pre-approved eligible candidates for consideration by local school systems.

Contract Term and Salary Supplements

An individual selected as a High Performance Principal will be required to enter into a contract with the local board. The individual grant for a Principal must not exceed \$15,000 per year and the local school system may apply for renewal for an individual for up to two additional years.

An individual selected as a Principal will be eligible for a one-year salary supplement. Salary supplements received by a Principal will not be considered regular or earnable compensation. Local boards will not be prohibited from providing additional salary supplements and bonuses to any Principal.

Local Board Reports

The local board must submit reports which quantify the effectiveness of an individual's impact on the improvement of a school during the school year in which he or she was contracted as a Principal. The Board must use the data in the reports as the primary factor in evaluating applications for renewals of a Principal's contract.

HOUSE BILL 984

MILITARY EXCUSED ABSENCES

State School Superintendent Kathy Cox was inundated with complaints from across the state about schools not allowing children of military families to visit with their parent(s) before deployment. In response to these complaints, the legislature introduced and passed language that would provide such students with a maximum of five school days per school year of excused absences.

Specifically, House Bill 984 provides that a student, whose parent or legal guardian is in military service in the Armed Forces of the United States or the National Guard and has been called to duty for overseas deployment or is on leave from such deployment, will be granted a maximum of five school days per school year of excused absences to visit with his/her parent prior to such parent's deployment or during such parent's leave.

HOUSE BILL 1358

TRUTH IN CLASS SIZE ACT

The Truth in Class Size Act is another priority for Governor Perdue, which will help increase student performance and give teachers more one-on-one interaction with students. This Act is intended to provide parents and guardians with a clear expectation as to the maximum number of students that may be in their child's classroom for mathematics, science, social studies, and language arts classes.

Maximum Individual Class Sizes for Regular Programs

Beginning with the 2006-2007 school year, the maximum individual class size⁶ for regular education programs will be as follows:

- Kindergarten without full-time aide 18 students
- Kindergarten with full-time aide 20 students
- Primary grades: 1-3 21 students
- Upper elementary grades: 4-5 28 students
- Middle grades: 6-8 28 students

Local school systems will not be allowed to exceed the maximum class sizes designated for the above-mentioned programs and the State Board of Education (Board) will not be authorized to lower the maximum class sizes for said programs.

⁶ The term "maximum individual class size" is defined as: the number of students in a physical classroom for kindergarten and primary grades; or, the maximum number of students that may be taught by a teacher in a class segment for all other grade levels.

Maximum Class Size for Other Educational Programs

For those programs not mentioned above, the Board will determine the maximum number of students which may be taught by a teacher in an instructional period. Such number may not exceed the maximum system average class size by more than two students.

For remedial education, vocational laboratory, alternative education, early intervention programs, special education, gifted classes, and English for speakers of other languages classes, the Board will provide for a maximum system average class size that will not exceed the funding class size by more than 20 percent (unless specifically authorized by the Board).

Exception for Exceeding Maximum Class Size

Only in limited circumstances⁷ may the Board approve a request for authorization for the number of students taught by a teacher to exceed the maximum number allowed. The request for authorization must be made to the Board after the first FTE count of the school year.

HIGHER EDUCATION

SENATE BILL 415

HERO SCHOLARSHIP ELIGIBILITY

The Helping Educate Reservists and their Offspring (HERO) Scholarship, created in 2005, provides a scholarship for any eligible student who is a person that serves at least one *qualifying term of service* or the child of such a person, and also meets additional criteria.

Senate Bill 415 revises the definition of the term “qualifying term of service”⁸ and provides that any person who fails to serve the full 181 consecutive days in a combat zone because he or she was evacuated from the combat zone due to severe injuries will be deemed to have completed a qualifying term of service.

HOUSE BILL 1252

DRIVER TRAINING PROGRAMS

House Bill 1252 specifies the requirements associated with operating a driver training school, commercial driver training school, or engaging in the business of giving driver instruction for hire.

This bill requires that any person who operates such schools, or provides driver instruction for hire to ten or more persons per year have a license, a limited license, or a temporary driver training permit. The following entities are not considered commercial driver training schools or driver training schools:

- Hospitals and state licensed rehabilitation centers offering a driver training course for the purpose of rehabilitating persons to maintain or obtain a Class C license⁹;
- For-hire defensive driving safety courses that provide training to assist persons to obtain a Class C or Class M license through means of behind-the-wheel training, simulator training, or less than 30 hours of classroom and six hours of behind-the-wheel training; or,
- Occasional driver training instruction.

Limited License

An entity that offers a defensive driving safety course must obtain a limited license as a driver training school which will be valid for a four year period. Additionally, such entity must register and identify all of its vehicles, and obtain the proper liability insurance. However, limited driver training schools offering only classroom or simulator training will not be required to comply with the liability insurance requirements.

⁷ Such limited circumstance refers to an instance where an increase in class size is educationally justified and where an act of God or other unforeseen event led to the precipitous rise in enrollment within that school system or led to another occurrence which resulted in the local board's inability to comply with maximum class size requirements.

⁸ The term “qualifying term of service” is currently defined as the deployment overseas for active service on or after July 1, 2005 to a location(s) outside of the United States and its territories designated by the United States Department of Defense as a combat zone for a consecutive period of at least 181 days or, in the case of an individual who is killed or receives a 100 percent disability as a result of injuries received in such combat zone, any period of time on active service in such combat zone.

⁹ Such facilities will be required to file a memorandum of understanding with the commissioner of the Department of Driver Services.

Temporary Driver Training Permit

An entity that offers occasional driver training instruction may obtain a temporary driver training permit for a period of seven consecutive days, specified by the beginning and ending dates on the face of the permit. Such permits must be obtained by schools, individuals, or other entities which offer such instruction but do not maintain a permanent classroom located within the state. The fee for each permit will be \$100 per week and \$25 for each vehicle.

Requirements for the Operation of Driver Training Schools

Every person who desires to operate a commercial driver training school or a driver training school must maintain bodily injury and property damage liability insurance in the following amounts:

- \$300,000 for bodily injury or death of two or more persons in any one accident. Currently, the amount is \$200,000; and,
- \$50,000 for damage to property of others in any one accident. Currently, the amount is \$20,000.

Every person operating such school must provide a continuous surety company bond in the sum of \$2,500. If at any time the bond is not valid and in force, the license of the school or program will be deemed suspended until a valid surety company bond is again in force.

Every person operating such school must pay a license application fee to the Department of Driver Services for the approval of driver training schools and instructors, commercial driver training schools and instructors, and limited license driver training schools and instructors. Such licenses and each renewal will be valid for a four year period unless suspended or revoked prior to that time.

FINANCE

SENATE BILL 562

HIGHER EDUCATION FACILITIES AUTHORITY

Senate Bill 562 creates the Georgia Higher Education Facilities Authority. The Authority will possess revenue bonding powers of up to \$300 million of outstanding debt at any one time. Issued bonds will not be considered state debt.

This bonding ability will provide alternatives for construction projects throughout the state, save on transaction costs, and allow for refinancing of existing bonds.

HOUSE BILL 173

VETERANS ORGANIZATIONS

House Bill 173 authorizes a referendum to ask for an exemption from ad valorem tax for property owned by qualified non-profit organizations provided that such property is used primarily for veterans-related purposes. This includes an exemption for historic military aircraft.

HOUSE BILL 194

TELEWORK CREDIT

There is now an income tax credit for teleworking. Telework is defined as the performance of normal and regular work on a workday at a location other than the employer's place of business. This would not include those who work on the weekend, hours extending beyond the workday and home based businesses. Eligible telework expenses are any expenses incurred to enable an employee to telework. These expenses are capped at \$1,200.00 per employee.

HOUSE BILL 848

SENIOR EXEMPTION

House Bill 848 authorizes a homestead exemption for property owned and occupied by senior citizens in an amount equal to the levy for state ad valorem taxation.

HOUSE BILL 910**FUNERAL SERVICES: ESCROW & PRENEED SALES**

Currently, funds required to be placed in an escrow account when burial or funeral merchandise is purchased may be released either when the merchandise is delivered or at such time described in rules and regulations. This bill requires the time period allowed by regulations to not exceed the lesser of 30 days from receipt of application for release or the time within which a preneed dealer is required by law to provide a refund.

This legislation makes it unlawful for any person to engage in the sale of funeral services, funeral or burial merchandise, or burial rights if that person is not licensed or registered. Current law only mentions funeral services.

HOUSE BILL 1219**SALES TAX HOLIDAY**

House Bill 1219 authorizes a sales tax holiday for school supplies and energy efficient “Energy Star” appliances. The holiday will occur the first weekend in August, 2006.

HOUSE BILL 1249**EXEMPTION: WATERCRAFT**

House Bill 1249 authorizes an exemption from taxation for or watercraft held in inventory for sale or resale.

HEALTH AND HUMAN SERVICES**HOUSE BILL 1066****NEWBORN SCREENINGS**

House Bill 1066 expands the number of disorders that the Department of Human Resources (DHR) may screen for in its newborn infant screening program. The DHR is allowed to screen for all disorders enumerated in its rules and regulations, as opposed to specific disorders that were codified. The DHR is authorized to establish and adjust fees associated with screening, retrieval, and diagnosis conducted to defray or meet the costs it incurs. These fees may not exceed the costs incurred by the department, and no services shall be denied on the basis of inability to pay. The expanded screenings must begin by January 1, 2007. The Department of Audits must conduct an assessment evaluating the efficiency of the screening conducted by the Georgia Public Health Laboratory, and if it is determined that other licensed laboratories in Georgia can perform the screenings at a lower cost, the DHR must issue a Request for Proposal for the services.

HOUSE BILL 1092**SUICIDE PREVENTION PROGRAM**

In Georgia, approximately 850 people die of suicide every year. More Georgians die of suicide than homicide while more teenagers and young adults die from suicide than from cancer, heart disease, AIDS, birth defects, stroke, pneumonia, influenza, and chronic lung disease combined. This bill creates the Suicide Prevention Program, to be managed by the injury prevention section of the Division of Public Health of the Department of Human Resources. In implementing such program, the injury prevention section’s responsibilities include: improving education and expanding educational resources for people working with those most at risk of suicide; developing standardized protocols used by the Department of Human Resources in reviewing suicide death scene investigations; implementing a state-wide reporting system for reporting suicides; and supporting projects to link and analyze information on self-destructive behavior from various data systems.

HOUSE BILL 1178**UNUSED PRESCRIPTION DRUGS, PHARMACISTS
WRITTEN OBJECTIONS, PHYSICIANS FOR RURAL AREAS**

House Bill 1178 passed as a conference committee report and includes the provisions of various initiatives. It creates the “Utilization of Unused Prescription Drugs Act.” The Act establishes a program through which unused prescription drugs may be distributed for use by medically indigent persons. The Georgia State Board of Pharmacy, the Department of Human Resources (DHR), and the Department of Community Health (DCH) must jointly

develop and implement a state-wide program through which certain unused prescription drugs may be transferred from a health care facility (a facility licensed by DHR as a nursing home, intermediate care home, personal care home, home health agency, or hospice), to pharmacies designated by DHR for their redistribution to residents who are medically indigent. The statewide program must be in place by January 1, 2007, unless a pilot program is implemented first. Additionally, protection against criminal prosecution or liability in tort or civil action is provided to drug manufacturers for the failure to transfer or communicate product information of a donated drug under this program.

Additionally, the bill provides that pharmacist who state in writing an objection to abortions on moral or religious grounds may not be required to fill a prescription for a drug which purpose is to terminate a pregnancy. It further states that such pharmacists may not be subject to disciplinary or recriminatory action. This legislation was originally filed as SB 123.

The bill amends the Code section known as the “Physicians for Rural Areas Assistance Act” by allowing *any* physician who has completed medical training to participate in the program which allows for the repayment of loans by agreeing to practice in rural areas of the state. Current law allows only for *young* physicians to participate. Moreover, rather than giving priority to applicants specializing in obstetrics, the State Medical Education Board will have authority to give priority to physicians whose specialty is experiencing shortages in rural areas of the state. This legislation was originally filed as SB 507.

Finally, the bill amends the definition of “rural county” used in defining eligibility for participation in the “Rural Hospital Assistance Act,” a grant program operated by the Department of Community Health. Prior to its passage, a rural county was defined as a county with a population less than 35,000 according to the 1990 decennial census or any future census. The new definition allows for counties that contain a military base or installation to exclude military personnel and their dependents from the population count.

SENATE BILL 480

QUALIFIED MEDICATION AIDES AND ADVANCED PRACTICE REGISTERED NURSES

Senate Bill 480 allows for a registered professional nurse to delegate certain nursing tasks to no more than 15 qualified medication aides who are employed by community living arrangements. Community living arrangements are residences that provide for the daily personal care of two or more adults whose services are financially supported by funds authorized through the Division of Mental Health, Developmental Disabilities, and Addictive Diseases of the Department of Human Resources. The Georgia Board of Examiners of Licensed Practical Nurses is authorized to determine the certification for qualified medication aides and the rules governing those tasks which may be delegated to them. The tasks that may be delegated to a qualified medication aide include: administering certain medications; conducting certain blood tests; recording medications personally administered in the medication administration record; and making observations and reporting to the supervising nurse regarding the condition of a resident.

Additionally, the bill defines advanced practice registered nurses and authorizes them to perform certain activities when operating under nurse protocol agreements entered into with physicians who practice in comparable specialty areas. Nurse protocol agreements must contain the parameters under which delegated acts may be performed by the advanced practice registered nurse. Delegated acts may include ordering drugs, medical devices, medical treatments, diagnostic studies, or in life-threatening situations administering radiographic imaging tests. Similar language was originally filed in Senate Bill 603 and House Bill 935.

SENATE RESOLUTION 785

JOINT COMPREHENSIVE STATE TRAUMA SERVICES STUDY COMMITTEE

Senate Resolution 785 creates a Joint Comprehensive State Trauma Services Study Committee that will study the quality of trauma services throughout the state. The committee will be composed of ten members: five appointed by the Speaker and five appointed by the President Pro Tempore of the Senate.

INSURANCE AND LABOR

HOUSE BILL 1326

SUSPENSION OF THE STATEWIDE RESERVE RATIO SURCHARGE

The unemployment insurance (UI) program pays temporary cash benefits to workers who have lost jobs through no fault of their own. The UI system is administered as a federal-state partnership. To finance the program, the states levy and collect payroll taxes from employers, and the funds collected are managed in a trust fund administered by the federal government. The UI system operates counter-cyclically, paying out benefits during recessionary times and collecting revenue during recovery periods. Employers pay the premiums for the UI program through federal and state payroll taxes that are assessed on employers but based on employees' earnings.

In addition to such payroll taxes, solvency taxes are assessed on employers when the balance in a state's unemployment fund falls below a specified level. Georgia's solvency tax is commonly referred to as the Statewide Reserve Ratio surcharge. Current law has suspended this surcharge through December 31, 2006; however, in the event the Statewide Reserve Ratio is less than 1.00 percent, the Commissioner of Labor has the option to impose an increase in the overall rate of up to 35 percent, as of the computation date, for each employer whose rate is computed under a rate table in O.C.G.A. § 34-8-155.¹⁰

This legislation extends the suspension of the Statewide Reserve Ratio surcharge through December 31, 2007; however, in the event the Statewide Reserve Ratio is less than 1.25 percent, the Commissioner will have the option to impose an increase in the overall rate of up to 35 percent.

SENATE BILL 384

INTERSTATE INSURANCE PRODUCT REGULATION COMPACT

Senate Bill 384 authorizes Georgia to join the Interstate Insurance Product Regulation Compact. In 2003, the National Association of Insurance Commissioners (NAIC), the National Conference of Insurance Legislators (NCOIL) and the National Conference of State Legislatures (NCSL) approved the Interstate Insurance Product Regulation Compact. The purpose of the compact is to streamline approval processes of individual and group annuity, life insurance, disability income and long-term care insurance products. Presently, the compact has been enacted in 22 states and pending in 14 state legislatures.

The Compact will be an agreement among member states to create a streamlined system of product regulation. The new system will allow insurers to more quickly market certain types of insurance products nationally and to reduce the number of variations of the same product that a company must produce to meet state specific product standards. The Compact would create a multi-state commission to receive, review and quickly make regulatory decisions on insurance product filings according to national uniform standards. The member states would create uniform product standards for products to be filed with the compact.

Pursuant to terms and conditions of this legislation, the State of Georgia seeks to join with other states and establish the Interstate Insurance Product Regulation Compact, and thus become a member of the Interstate Insurance Product Regulation Commission. The Commissioner of Insurance will be designated to serve as the representative of the State of Georgia to the Commission.

INTERSTATE COOPERATION

HOUSE BILL 1067

GEORGIA COMMISSION ON INTERSTATE COOPERATION

House Bill 1067 names the chairpersons of the Senate and House Committees on Interstate Cooperation as cochairpersons of the Georgia Commission on Interstate Cooperation

¹⁰The Statewide Reserve Ratio is computed on June 30 of each year by dividing the balance in the trust fund, including accrued interest, by the total covered wages paid in the state during the previous calendar year.

(Commission). Currently, the chairman of the Governor's Committee on Interstate Cooperation serves as ex-officio chairman.

This legislation also changes the function of the Commission to allow it to carry forward the participation of Georgia as a member of any regional, national, or international nonpartisan legislative organization that promotes interstate or international cooperation.

JUDICIARY

SENATE BILL 382

CHILD SUPPORT

Child support awards will be calculated using the monthly gross income of both parents, rather than only factoring in the income of the non-custodial parent. A court may grant a Parenting Time Adjustment, meaning a deviation from the presumptive child support award, when special circumstances exist that make the award excessive or inadequate due to extended parenting time or when the child resides with both parents equally. Courts will have discretion in determining an award amount based on the basic child support obligation table, due to deviations such as a high-income parent, a low-income parent, extraordinary circumstances, etc.

This bill will apply to child support awards made on or after January 1, 2007, but a parent with a previous award may petition the court for a discretionary modification if there has been a substantial change in either parents' income of 15% or more, or if the child's needs have changed significantly. However, a parent may not petition the court for a modification less than two years after the final child support award, unless there has been a substantial and involuntary loss of income, or the non-custodial parent either fails to use his or her court-ordered visitation or exercises a greater amount of visitation. This bill also creates the Georgia Child Support Commission to oversee training and implementation of these new guidelines, as well as to study the impact of having parenting time serve as a deviation to the presumptive amount of child support.

SENATE BILL 396

NO DUTY TO RETREAT

Senate Bill 396 states that there is no affirmative duty to retreat from a situation where a person is attacked in a place where he or she is legally allowed to be. This bill provides immunity from criminal prosecution where a person under attack uses threats or force, including deadly force, if the attacker uses like force against him or her. In addition, this bill ensures that there will be no civil liability to the attacker; this immunity from civil liability does not apply to lawsuits brought by innocent bystanders who are injured.

SENATE BILL 572

MANAGED CARE

Senate Bill 572 establishes the crime of medical assistance managed care fraud on behalf of the new managed care programs offered by the Department of Community Health; managed care programs that are operated, funded or reimbursed by the Georgia Medicaid program are now included in the prohibition against obtaining medical assistance or benefits that one is not entitled to under Medicaid. However, a medical provider may request a hearing to determine the fairness of nonpayment or inadequate compensation by a care management organization, with respect to a specific item of medical care, within 15 days of receiving the decision of the managed care organization.

Also, this bill limits the ability of the Department of Community Health to make claims against the estates of deceased Medicaid recipients for medical assistance payments. At the time of application for medical assistance, the decedent must have received written notice that medical costs could be recovered from the estate, and the decedent must have signed a written acknowledgement. The commissioner must delay making claims against the estate where the dependents or heirs agree to pay the full amount of the claim. In order to prevent hardship to dependents, the commissioner must waive any claim against the first \$100,000 of any estate.

HOUSE BILL 1059

SEXUAL PREDATORS

The overriding purpose of this bill is to protect Georgia's children by imposing stricter mandatory minimum sentences, enhanced sexual offender registration procedures, and required monitoring devices for life for offenders classified as sexually dangerous predators. The following sexual offenses will carry a mandatory sentence of at least 25 years in prison, in addition to lifetime probation: aggravated assault, kidnapping a child under age 14, aggravated sodomy of a child under age 10, rape, aggravated child molestation, sexual assault against a child in custody under age 14, incest of a child under age 14, and aggravated sexual battery.

This bill establishes the Sexual Offender Registration Review Board, which will have the responsibility of determining the recidivism risk category of sexual offenders, the highest level being sexually dangerous predator. Registration procedures will be tightened to allow for better monitoring by law enforcement officials; for instance, sexual offenders must inform the sheriff of the county where they reside of any changes to pertinent information within 72 hours of the change. Also, sexual offenders will be required to register with the sheriff before being released from prison. Registered sexual offenders may not live or loiter within 1,000 feet of a child care facility, church, school or area where minors congregate, and they may not work within 1,000 feet of a child care facility, school, or church.

HOUSE BILL 1302

GANG TERRORISM AND PREVENTION ACT

House Bill 1302 increases penalties for membership in a street gang, defined as an organization of three or more persons who engage in criminal activity, and the commission or attempted commission of one of twelve enumerated crimes, such as racketeering, offenses related to escape from confinement, and trespass. Persons who participate in gang activity through the commission of one of the listed crimes, or acquire interest in real or personal property through criminal gang activity, will receive five to fifteen years imprisonment or a fine of \$10,000 to \$15,000, in addition to penalties imposed by other statutes. This bill protects schoolchildren by prohibiting gang members from entering or loitering in school safety zones. All persons who enter a school must check-in at a designated location, or be subject to an aggravated misdemeanor; exceptions are students, volunteers, employees, invitees, public safety officials, voters on Election Day, persons attending athletic events who remain in authorized areas, and parents, grandparents and guardians with legitimate school business.

HOUSE BILL 1313

EMINENT DOMAIN

House Bill 1313, known as "The Landowner's Bill of Rights and Private Property Protection Act," creates stricter definitions of blight, public use, and economic development. Specifically, property will not be deemed blighted solely due to aesthetics, and the public benefit of economic development will not demonstrate a public use. Also, any exercise of the power of eminent domain must be for a public use and approved via resolution by the governing body of the municipality or county at a meeting open to the public. A property owner will be entitled to abundant notice if his or her property is a possible target for condemnation, including a written statement of his or her rights during the process. If property acquired through eminent domain is not put to the stated public use within five years, the former owner of the property may apply to the condemnor for reconveyance or additional compensation. In all eminent domain proceedings, the court will award a condemnee reimbursement for reasonable costs and expenses, including attorney's fees, incurred during the proceedings if the final judgment is in favor of the condemnee. In addition, the court may award relocation expenses, compensation for loss of goodwill, and actual losses of personal property.

HOUSE RESOLUTION 1306

EMINENT DOMAIN

This is the companion resolution to House Bill 1313, providing for an amendment to the Georgia Constitution that would restrict the use of the power of eminent domain by housing authorities and local development authorities. These entities may only utilize eminent domain for a public use as defined by statute, and all condemnations must first be approved by a vote of the local elected body. Overall, the use of power of eminent domain by county

and municipal governments will be limited at the constitutional level, based on the changes made by House Bill 1313. The proposed amendment will be submitted to the voters of Georgia for ratification during the next general election.

NATURAL RESOURCES AND THE ENVIRONMENT

HOUSE BILL 1320

COMPREHENSIVE LITTER PREVENTION AND ABATEMENT ACT OF 2006

House Bill 1320 comprehensively revises current law relating to proper litter disposal and provides increased penalties for improper litter disposal. A new offense is created for intentionally dumping “egregious litter,” which is defined as litter exceeding ten pounds in weight or 15 cubic feet in volume; biomedical or hazardous waste; or any substance or material dumped for commercial purposes. The offense carries a misdemeanor penalty if the litter is not biomedical or hazardous waste and a felony if the litter is such waste. Before this legislation was introduced, state regulators did not have the ability to prosecute such offenses as felonies. Law enforcement is also authorized to impound the vehicle of anyone convicted of intentionally dumping egregious litter. Probate, municipal, and magistrate courts are empowered to hear misdemeanor litter cases.

House Bill 1320 also prohibits placement of posters and signs on any public or private property or building, unless the owner has given permission for such placement. Placement of such signs and posters is allowed on dedicated rights of way if such placement is authorized by local ordinance. The Department of Community Affairs is required to submit an annual report to the General Assembly and the Governor regarding the status of litter prevention and abatement in this state.

SENATE BILL 191

EXPEDITED REVIEW OF ENVIRONMENTAL PERMITS

The Senate Environmental Privatization Study Committee was created during the 2005 Legislative Session to determine whether the introduction of private sector competition and/or incentives might result in higher quality, lower cost, more efficient, and effective implementation of environmental programs.

Senate Bill 191 allows expedited permitting for environmental permits issued by the Georgia Environmental Protection Division (EPD) by a qualified professional within the private sector who is under contract with EPD. EPD will have the option of designating certain qualified individuals to review permit applications.

Senate Bill 191 also addresses issues in response to the recently-lifted irrigation permit moratorium in the Flint River Basin and the backlog of permits resulting therefrom. EPD has held farm-use water withdrawal permit applications since 1999, pending results of the scientific studies and development of a water management plan. This legislation provides a process that protects valid permits and contains measures to prevent speculation of whether or not water withdrawal permits are moving forward. Permits will be issued for terms of 25 years, for a fee of \$250, and may be revoked if initial use has not commenced within two years of the date of issuance of such permit.

PUBLIC SAFETY AND HOMELAND SECURITY

SENATE BILL 529

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT

Statewide concerns over the presence of 300,000 to 800,000 illegal immigrants in Georgia and their impact on the state's health care, educational, labor, business, and criminal justice systems spurred the passage of Senate Bill 529 – The Georgia Security and Immigration Compliance Act. Significant provisions of the legislation include the following:

- Requires all public employers to register and participate in the Federal Work Authorization Program by July 1, 2007 in order to verify information on all new employees.¹¹ In addition, all public employers, government contractors, and government subcontractors are required to register and participate in the program in order to verify information on all new employees prior to entering into any contract in connection with the physical performance services within this state. This provision is phased in as follow:
 - July 1, 2007 for all public employers, government contractors, and government subcontractors with 500 or more employees;
 - July 1, 2008 for such entities with 100 or more employees; and
 - July 1, 2009 for all such entities;
- Requires verification of eligibility for adult applicants for public benefits;
- Establishes penalties for human trafficking;
- Authorizes the enforcement of federal immigration and custom laws by Georgia state patrol officers and for such officers to receive training in the enforcement of such laws;
- Requires all Georgia employers to verify the legal status of any employees hired on or after January 1, 2008 in order to claim a state income tax deduction on such employees' salaries;
- Requires employers to withhold a 6 percent tax from contract workers who are unable to provide a valid taxpayer identification number or Social Security number;
- Requires county, municipal, and regional jails to determine the legal status of prisoners charged with a felony or DUI; and
- Establishes and enforces standards of ethics for individuals who provide immigration assistance, also known as "Notorios," and for those who are not licensed attorneys.

HOUSE BILL 1019

TASER AND ELECTRONIC CONTROL WEAPONS ACT

Regarded by law enforcement agencies as the safest and most effective means to subdue an unruly suspect, the TASER stun gun has quickly become an industry standard for nonlethal force among the nation's police departments. While police departments have deployed TASERs, the manufacturer has been criticized by human and civil-rights groups concerning the weapon's safety and the potential for misuse. In the wake of numerous lawsuits alleging wrongful deaths caused by the weapon, critics throughout the nation have been calling for a moratorium on the use of TASERs until more studies can be done to determine whether they pose a health risk.

The legislation establishes the legal and proper uniform training requirements for the official use of electronic control weapons and similar devices (commonly referred to as TASERs or stun-guns) by law enforcement officers, including those officers employed in detention facilities. The training will not only focus on how to properly operate a TASER but also when it is appropriate to utilize such a device.

Written Policies and Directives

All law enforcement units authorizing the use of TASERs are required to establish written policies and directives providing for the use and deployment of such devices that are consistent with the training requirements established by the Georgia Peace Officer Standards and Training Council (Council). The policies and directives must be issued prior to the issuance of such devices.

Training and Certification

Prior to the official use of TASERs, peace officers authorized to use such devices will be required to satisfactorily complete a course of instruction and certification requirements approved by the Council. Moreover, such officers must complete an update or refresher training course in order to maintain such certification. The Georgia Public Safety Training Center (Center) will provide the approved Council training.

¹¹The Federal Work Authorization Program is a national program for the electronic verification of work authorization operated by the U.S. Department of Homeland Security which enables employers to verify the employment eligibility of all job applicants. The program was established under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Effective Date

This legislation becomes effective on January 1, 2007, except that provisions applying to Council certification and provisions for training offered by the Center will become effective six months after the effective date of an Appropriations Act containing a specific appropriation to fund certification by the Council and training by the Center.

SENATE BILL 462

COURTHOUSE SECURITY

On March 11, 2005, suspect Brian Nichols was beginning proceedings for a rape trial in Fulton County, Georgia when he allegedly overpowered and severely injured his guard, took her sidearm, entered the courtroom, and shot to death Judge Rowland Barnes and the court stenographer, Julie Ann Brandau. Nichols subsequently escaped the courthouse, killing Fulton County Sheriff's Deputy Hoyt Teasley outside the courthouse, and U.S. Customs Agent David Wilhelm at his home, before his capture in Gwinnett County. Although violent attacks have been fairly uncommon in past decades, the reality of their possibility, especially in light of the Fulton County incident, leaves all public officials with the conscientious responsibility of securing the public buildings under their control and protecting public employees and officials, as well as the citizens in our state.

The State Senate responded by creating the Senate Study Committee on Security for State and County Buildings pursuant to Senate Resolution 431 during the 2005 Legislative Session. The Study Committee was charged with undertaking a study of the conditions, needs, issues, and problems relating to the security of state and county buildings, including new technology for increasing security at state and county buildings open to the public.

Senate Bill 462 is a direct result of some of the Study Committee's findings and recommendations. This legislation requires each sheriff to develop and implement a comprehensive security plan for his or her respective county courthouse and any courthouse annex. The plan must be submitted for review by the Superior Court's Chief Judge of the circuit wherein the courthouse is located. The Chief Judge will have 30 days to review the original or any subsequent security plan and may make modifications to such plans. The sheriff must provide to the county commission the estimated cost of any security plan and a schedule for implementation 30 days prior to its adoption. The development and implementation of a security plan and all related technology will be subject to the annual budget approved for the sheriff's office by the county commission.

Courthouse security plans will be considered a confidential matter of public security, exempt from public disclosure laws, and the review of proposed plans by the county commission will be exempt from any open records or open meetings statutes. Moreover, the sheriff will be the official custodian of the comprehensive courthouse security plan and will determine who has access to such plan and any such access and review must occur only in the sheriff's office. However, the sheriff will make the security plan available upon request for temporary, exclusive review by any judge whose courtroom or chambers is located within the courthouse or courthouse annex or by any county commissioner.

HOUSE BILL 1497

MERCEDES' LAW – VICIOUS DOGS

Known as "Mercedes' Law" in honor of an eleven-year-old girl who has undergone seven reconstructive surgeries to repair the wounds she suffered after she and her cousin were attacked and severely injured by a pit bull in 2005 in DeKalb County, House Bill 1497 sets minimum state standards and requirements to control vicious dogs and designates the owner as solely liable for any injury or death the dog causes.

Definition of Vicious Dog

A "vicious dog" is defined as a dog that inflicts a severe injury on a human being without provocation after the owner has received notice that the dog has previously bitten, attacked, or endangered the safety of a human being or a dog that is owned, trained, or kept for the purpose of fighting. The term does not apply when the inflicted injury was sustained by a person who was committing a trespass; tormenting, abusing, or assaulting the dog; or attempting to commit a crime. The term does not also include law enforcement dogs acting within the scope of their official duties.

Restraint Requirement

An owner of a vicious dog is prohibited from permitting such dog to be outside a proper enclosure¹² unless the dog is restrained by a leash and is under the physical restraint of a responsible person.

Violation of Restraint Requirement; Penalty for such Violation

A vicious dog must be immediately confiscated by the dog control or law enforcement officer if such dog is not maintained in proper enclosure or is outside a proper enclosure. Any dog confiscated will be returned to the owner upon the owner's compliance with these provisions and upon payment of reasonable confiscation costs. If such owner does not comply within 40 days of the date the dog was confiscated, such dog will be destroyed in a humane manner.

The penalty for a violation of the restraint requirement is a misdemeanor. In addition to any confinement that might be imposed for a conviction, a second conviction will result in a fine of not less than \$300 and a third conviction will result in a fine of not less than \$500.

Penalties for Violation by Owner with Previous Conviction when Vicious Dog Attacks

If an owner, with a previous conviction of the restraint requirement, knowingly fails to comply with such requirement, and the owner's vicious dog attacks, bites, causes severe injury, or causes the death of a human being, such owner will be guilty of a misdemeanor of high and aggravated nature. In addition to the above penalties, the vicious dog will be immediately confiscated and placed in quarantine for the proper length of time determined by the county board of health, and thereafter, such vicious dog will be destroyed.

Existing Ordinances Not Preempted

This legislation does not preempt existing local ordinances or prohibit local governments from adopting or enforcing more restrictive ordinances.

HOUSE BILL 1053

PRESTIGE PLATES

House Bill 1053 consolidates and streamlines the process for establishing prestige license plates that honor, commemorate, support, or promote specific causes or organizations by dedicating funds to specific entities. This legislation also creates 29 new prestige license plates.

REGULATED INDUSTRIES

SENATE BILL 120

EMERGING TECHNOLOGIES

A Joint House and Senate Study Committee charged an advisory committee to review the state's need to regulate emerging technologies. An advisory committee report and a final study committee report were published. Legislation which passed as a result of these reports precludes the Georgia Public Service Commission from imposing any requirement or regulation relating to the setting of rates or terms and conditions upon broadband, Voice over Internet Protocol (VoIP), or wireless service.

HOUSE BILL 1259

PRIVATE DETECTIVES

House Bill 1259 strengthens requirements for persons to qualify to serve as a security guard or private detective. Additionally, this legislation also provides that the misuse of an air condition contractor license number may result in a maximum fine of \$1000.

HOUSE BILL 1385

BUILDING PLAN APPROVALS

House Bill 1385 would authorize local governments to pre-qualify private professionals to perform building plan reviews and inspections when the local government is unable to timely

¹² "Proper enclosure" means an enclosure for keeping a vicious dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping.

review and approve or deny such plan. The local government would retain ultimate oversight and approval or disapproval of such plan. This does not apply to certain government buildings, security-related buildings, high rises, and airports. The local government will also retain immunity for private review.

House Bill 1436

RESTAURANT WINE SALES

House Bill 1436 allows a person to remove one bottle of wine from the premises of a restaurant; however, only one bottle may be taken per receipt per party. The bottle must be recorked and resealed, and stored during transportation in a glove compartment, trunk, or behind the last row of seats.

RETIREMENT

HOUSE BILL 101

PEACE OFFICER’S ANNUITY AND BENEFIT FUND

House Bill 101 amends provisions relating to creditable service under the Peace Officers’ Annuity and Benefit Fund (Fund) by stating the intent of the General Assembly, which is to grant such creditable service to any active member of the Fund for each month of prior service as a peace officer rendered prior to January 1, 1976, if during such period, the member was denied membership in the Fund or was actively prevented from making such application because of his or her race or ethnicity.

SENATE BILL 244

CREATES THE MAGISTRATES RETIREMENT FUND OF GEORGIA

Senate Bill 244 creates the Magistrates Retirement Fund of Georgia. Any person serving as a duly qualified and commissioned full-time chief magistrate of a county or as the secretary-treasurer of the Fund may elect to participate in such Fund.

RULES

HOUSE BILL 941

HISTORICAL DOCUMENTS

House Bill 941 directs the Division of Archives and History to encourage the study of historical documents. It authorizes each municipality and political subdivision to post the Foundations of American Law and Government display in a visible, public location in their judicial buildings. The Foundations of American Law and Government display includes: the Mayflower Compact, 1620; the Ten Commandments; the Declaration of Independence; the Magna Carta; the Star Spangled Banner by Francis Scott Key; the national motto; the Preamble to the Georgia Constitution; the Bill of Rights of the United States Constitution; and the description of Lady Justice.

HOUSE BILL 1211

OFFICIAL SYMBOLS OF THE STATE

House Bill 1211 designates the Southern Appalachian Brook Trout as the official cold water game fish of Georgia. Additionally, it designates the red drum as the official salt-water fish of Georgia.

HOUSE BILL 1502

TAX ASSESSORS

House Bill 1502 provides that no individual may serve as a member of a county board of tax assessors unless he or she has successfully completed 40 hours of appropriate training either prior to or within 180 days of appointment. Additionally, the bill provides that the commissioner must promulgate rules as necessary to implement the new language.

SENATE BILL 64

TRAFFIC LAW ENFORCEMENT – BLUE LIGHTS

Senate Bill 64 provides an exemption to the requirement that traffic law enforcement officers have exterior mounted roof blue lights on their vehicles for the Georgia State Patrol, a sheriff's office or police department when the vehicles used by such offices are marked on each side and painted according to existing Code requirements, and are equipped with flashing or revolving colored lights visible under normal atmospheric conditions for a distance of 500 feet from the rear, and which have an illuminating agency identifier reasonably visible to a driver subject to a traffic stop. The exemption is limited to two vehicles per post for the Georgia State Patrol, and one vehicle per post for a sheriff's office or police department.

Additionally, the bill allows a motorist who is directed to stop by a law enforcement officer to continue to drive until a reasonable safe location is reached; however, the motorist must indicate his or her intention to stop when a safe location is reached by activating the vehicle's flashing lights or turn signal and observing the posted maximum speed limit.

SCIENCE AND TECHNOLOGY

SENATE BILL 455

IDENTITY PROTECTION

Senate Bill 455 prohibits a telecommunications carrier from releasing customer identity information without the express consent of the end user/customer. However, this prohibition does not apply when such information is under law enforcement necessity, court order documentation, or under the purview of Homeland Security.

HOUSE BILL 1290

PHONE RECORDS

House Bill 1290 creates the Georgia Telephone Records Protection Act. This Act makes it a felony to knowingly obtain or disseminate commercial and residential phone records without the consent of the customer.

SPECIAL JUDICIARY

SENATE BILL 419

DELINQUENT CHILD SUPPORT PAYMENT RECOVERY FROM LOTTERY PROCEEDS

Under current law, retailers authorized by the Board of Directors of the Georgia Lottery Corporation to pay prizes of up to \$5,000 are not required to withhold prize winnings. Senate Bill 419 requires such retailers to withhold lottery prizes of \$2,500 or more when there is a claim for delinquent child support filed by the Child Support Enforcement Agency of the Department of Human Resources. This legislation will only apply to prizes awarded on or after the effective date of July 1, 2006.

STATE AND LOCAL GOVERNMENT OPERATIONS

SENATE BILL 84

VOTER IDENTIFICATION

Last year, a Federal Judge blocked Georgia from enforcing a law created by House Bill 244 which passed during the 2005 Legislative Session that required voters to show photo identification at the polls. The Federal Judge concluded that the law amounted to an unconstitutional poll tax. Therefore, the General Assembly passed Senate Bill 84 providing for the availability of free Georgia Voter Identification Cards. The legislation also requires the State Election Board to outfit all county boards of registrars with the necessary equipment to produce such Identification Cards.

Voter Education Program

This legislation establishes a voter education program to address voting procedures for voting by absentee ballot and voting at the polls with particular emphasis on the proper types of voter identification required for voting.

Forms of Voter Identification

This legislation requires each voter to present one of the following forms of identification prior to voting:

1. A Georgia Driver's License;
2. A Georgia Voter Identification Card or other identification card issued by a department, branch, agency, or entity of the state of Georgia, any other state, or the United States;
3. A United States Passport;
4. A valid photograph identification card issued by the United States Government or Georgia, or any county, municipality, board, authority, or other entity of Georgia;
5. A valid United States military identification; or
6. A valid tribal identification card.

Georgia Voter Identification Card

This legislation also requires each county to establish at least one location where registered voters may apply for and receive an Identification Card at no charge. However, a person with a valid driver's license will not be eligible for an Identification Card.

Verification Necessary to Receive A Georgia Voter Identification Card

The county board of registrars will require the following documentation from a citizen to receive an Identification Card:

1. Photo identification, except that non-photo identification is acceptable if it includes the person's full legal name and birth date;
2. Documentation showing the person's birth date;
3. Evidence that the person is registered to vote in this state; and
4. Documentation showing the person's legal name and place of residence.

The Identification Card will remain valid as long as the person lives at the same address issued on such Identification Card.

Equipment

The State Election Board will provide each county board of registrars with the necessary equipment, forms, supplies, and training for the production of the Identification Card.

Indigent Status Not Required

Current law allows an indigent to have the fee waived for an Identification Card to vote. This legislation allows anyone who swears under oath that they desire an Identification Card in order to vote to receive a card free of charge only if they do not have any other form of identification that is acceptable for voting.

SENATE BILL 500

2006 GEORGIA ACCURACY IN ELECTIONS ACT

Senate Bill 500 directs the Secretary of State to implement a pilot program providing for the use of direct recording electronic (DRE) voting equipment equipped and configured with a voter-verified, permanent paper record of the votes cast by each voter in one precinct each in Cobb, Bibb, and Camden Counties for the 2006 November general election and any runoff from such election. The State of Georgia will provide the funding necessary to implement such pilot program.

Each DRE unit must provide the voter with an opportunity to review the permanent paper record privately and independently before casting his or her vote on the unit and to change his or her ballot or correct any error in such record or vote. However, the DRE unit will not allow the voter to have actual physical possession of such record. Each DRE unit must bear a unique identifying number and be equipped with a storage device that:

- Stores each of the voter-verified, permanent paper records at the same time as such votes are stored electronically by the DRE unit;
- Bears the same unique identifying number as the DRE unit to which it is attached; and
- Can be removed from the DRE unit for the purpose of transporting the permanent paper records to a central tabulating center.

The Secretary of State will conduct a complete manual audit on each DRE unit used within 30 days following the 2006 November general election and any subsequent runoff. The audit will compare the results of the permanent paper records from each DRE unit with the electronic record recorded by the DRE unit. The results of such audit must be made available to the public upon completion. No later than the second Monday in January, 2007, the Secretary of State must conduct a public hearing in each of the pilot areas. A summary of the findings and comments received will be submitted to the General Assembly and available to the general public.

Each DRE unit used by the counties must receive national qualification and pass state certification for use in elections. The permanent paper records will only be counted in a recount or election contest proceeding.

HOUSE BILL 1044 POSSESSION OF FIREARMS FOR PERMANENT PART-TIME JUDGES

House Bill 1044 allows permanent part-time judges to:

- Carry a concealed weapon;
- Carry weapons within school safety zones, at school functions, or on school property;
- Carry a concealed weapon to a public gathering; and
- Carry a pistol without a license.

STATE INSTITUTIONS AND PROPERTY

HOUSE BILL 1318 DEPARTMENT OF CORRECTIONS – VENDING MACHINES

House Bill 1318 authorizes defined facilities to purchase vending machines or enter into vending service agreements by contract, sublease, or license for the purpose of providing vending services to each facility under the jurisdiction of the Department of Corrections. Vending services will be provided in any facility where the operation of such vending services is capable of generating a profit for that facility.

SENATE BILL 44 DEPARTMENT OF CORRECTIONS CONTRACTS WITH PRIVATE DETENTION/DIVERSION CENTERS

Senate Bill 44 authorizes the Georgia Board of Corrections to request bids and proposals from and to enter into contracts with private companies and entities for the operation of probation detention centers and probation diversion centers. The Board is also authorized to adopt, establish, and promulgate rules and regulations for the operation of such centers by private companies and entities.

SENATE BILL 592 DISPOSITION OF SURPLUS PROPERTY

Senate Bill 592 authorizes the Department of Administrative Services (Department) to dispose of surplus property by the following means:

- Any means currently allowed under Code Section 50-5-141;
- Sell by fixed price, provided that the property sold by fixed price must have been originally purchased for an amount established by the state accounting officer; or
- If the cost of maintaining and selling the surplus property exceeds the anticipated proceeds from the sell of the property, by destruction and disposal of the property.

Employees of the department and such employee's immediate family are prohibited from purchasing surplus property sold by fixed price or negotiated sale. A person is also

prohibited from purchasing such property by fixed price or negotiated sale for the direct or indirect benefit of any Department employee or his or her immediate family.

TRANSPORTATION

SENATE BILL 636

BIODIESEL FUEL AND MTBE FUEL

Senate Bill 636 makes it illegal for any person to produce, offer for sale, or sell any biodiesel fuel which will be blended with petroleum diesel fuel for subsequent sale for use in diesel engines unless the biodiesel fuel meets the specifications of American Society for Testing and Materials Standard D 6751.

The director of the Environmental Protection Division is authorized and urged to study and review the use of gasoline additives such as methyl tertiary butyl ether (MTBE) and to develop rules and regulations to provide for a phase out of the permissible use of gasoline containing MTBE not later than January 1, 2008.

SENATE BILL 150

GEORGIA COMMUNITY STREETCAR DEVELOPMENT AND REVITALIZATION ACT

Currently, a coordinated effort is in effect to have a street car system run from the Lenox Square area to Five Points along Peachtree Street in downtown Atlanta. This legislation creates the Georgia Community Streetcar Development and Revitalization Act, which establishes provisions for the State Road and Tollway Authority to implement a program that provides for such development and expansion of streetcar transportation.

HOUSE BILL 1177

DEPARTMENT OF TRANSPORTATION CONSTRUCTION CONTRACTS

House Bill 1177 requires performance and payment bonds on Department of Transportation (Department) construction contracts exceeding \$300 million dollars. Such bond amount must be at least the total amount payable, unless the State Transportation Board publicly approves a written recommendation from the Department that single bonds are available in that amount.

HOUSE BILL 1190

COLLECTION OF UNPAID TOLLS ON GA 400

House Bill 1190 allows the State Road and Tollway Authority to charge registered vehicle owners a \$25.00 administration fee for each toll violation to cover collection costs.

HOUSE BILL 1097

BILLBOARDS

Local Regulation of Political Campaign Signs on Public and Private Property

House Bill 1097 prohibits local governments from restricting the length of time that a political campaign sign, or the number of signs, may be displayed on private property. Current law already requires permission from the owner or occupier of such private property to display any sign, poster, or advertisement on such property. House Bill 1097 requires permission from the owner or occupier of public property as well.

Outdoor Nude Advertising

In the case of *State v. Café Erotica*, the Supreme Court of Georgia affirmed a trial court ruling that struck down a 1996 amendment to the Outdoor Advertising Act of 1971 which prohibited any off-premises outdoor advertising of commercial establishments where nudity is exhibited. The Supreme Court ruled that the prohibition of *any* outdoor nude advertising is an unconstitutional infringement on free speech. HB 1097 was enacted in response to this ruling and limits the prohibition to outdoor advertising containing any depiction of nudity or sexual conduct when such depiction is visible from any public road in the state highway system. Each day in which a sign is in violation of the above prohibition will result in a misdemeanor penalty and, upon conviction, punishment by a fine not exceeding \$1,000.

Multiple Message and Vertically Stacked Signs

House Bill 1097 prohibits a person from vertically stacking signs on or after July 1, 2006. This legislation also permits the use of illuminated non-mechanical electronic multiple message signs under the following circumstances: each transitional change occurs within two seconds; the Department of Transportation (Department) may request the owner to promptly reduce the intensity of the sign if the display or effect of the sign causes glare or impaired vision of a driver of a vehicle; and the owner of any existing or nonconforming electronic sign has 180 days from the effective date of July 1, 2006 to bring such sign to compliance and to request a permit from the Department to display such sign.

Constitutionality / Severability Clause

If any part of this legislation is adjudged invalid or unconstitutional, such adjudication will only invalidate that particular part and not other parts of this legislation. The General Assembly declares that it is repealing certain provisions of law restricting outdoor advertising which were declared unconstitutional by the Georgia Supreme Court in *State v. Café Erotica*.

HOUSE BILL 654

DEFINE CLASS I AND CLASS II ALL-TERRAIN VEHICLES

House Bill 654 provides a definition for certain models of All-Terrain Vehicles (ATVs). In the past five years, a new model of ATVs has been commercially developed. These new ATVs differ from traditional ATVs in that they have steering wheels verses handlebars, bench seats versus step-over seats, and a truck style “bed” verses a rack. This legislation provides definitions for each.

SENATE BILL 115

MARTA OPERATING COSTS

Senate Bill 115 addresses the operating budget of MARTA and requires an independent annual management audit on the condition of management of MARTA at the expense of MARTA. It also addresses collective bargaining issues.

HOUSE BILL 955

EXEMPTION OF MARTA TRANSCARD OR SMARTCARD FROM PUBLIC DISCLOSURE

House Bill 955 exempts from public disclosure the MARTA records which would reveal the financial records or travel history of any purchaser of a TransCard, SmartCard, or similar fare medium.

HOUSE BILL 954

PUBLIC TRANSPORTATION FARE VIOLATIONS

Current law states that the sale or exchange of any fare medium used as payment for entry into or on any bus, rail car, or terminal without express consent of the public transit agency that owns or operates such vehicle or facility is illegal. House Bill 954 specifies that such fare medium must have been obtained by fraudulent or illegal means. This legislation is in response to the highly publicized incident where MARTA police arrested a person trying to provide a token to another rider when the MARTA fare machine was broken.

VETERANS AND MILITARY AFFAIRS

SENATE BILL 523

GOLD STAR LICENSE PLATE

Summary

Senate Bill 523 creates the Gold Star license plate which honors the families of service members who have been killed in action while serving in the armed forces of the United States. The Gold Star license plate will be issued only to family members of service members that resided in Georgia at the time of such member’s death. The license plate will bear the symbol which is a gold star with blue fringe on a white background with a red border. This is the symbol for a fallen service member. The words “Gold Star Family” will be displayed in the indented area normally used for the county of residence decal.

Qualified Family Members

One Gold Star license plate per eligible family member is free, after payment of all ad valorem taxes and other fees due at registration of a motor vehicle. In order to qualify as a family member, the person must be directly related to the fallen service member as their spouse, legal mother, or father.

Determining Killed in Action Status

Whether a service member is deemed to have been killed in action will be determined by the classification of death listed by the United States Department of Defense and may be verified only from documentation from the Department.

PASSED LEGISLATION (LISTED BY COMMITTEE)

AGRICULTURE AND CONSUMER AFFAIRS

| | |
|---------|-----------------------------------------------------------------------------|
| SB 441 | Updates Date of Federal Milk Standards and Requirements |
| SB 380 | Creates an Equine Commodity Commission |
| SB 588 | Prohibits Public Display of Social Security Numbers |
| HB 999 | Veterinary Technicians |
| HB 1213 | Provides Poultry Disposal Requirements |
| HB 1404 | State Farmers Market Security; Provide Power to Commissioner of Agriculture |

APPROPRIATIONS

| | |
|---------|-------------------------------------------|
| HB 1026 | Supplemental appropriations; FY 2005-2006 |
| HB 1027 | General appropriations; FY 2006-2007 |
| HB 1164 | Budget Act; amend |

BANKING AND FINANCIAL INSTITUTIONS

| | |
|--------|-----------------------------------------------------------------|
| SB 505 | Mortgage Broker/Lender License; exempt certain exclusive agents |
|--------|-----------------------------------------------------------------|

ECONOMIC DEVELOPMENT

| | |
|---------|------------------------------------------------------------------------------------------------------|
| SB 445 | Civil War Commission; editorial changes; change administrative assignment; codify certain provisions |
| SB 545 | Bingo Games; nonprofit, tax-exempt organization; provide definitions |
| SR 41 | Senate Music Industry Committee; create |
| HB 1168 | Winery; tasting room; permit sales |
| HB 1184 | Herty Foundation; change name |

EDUCATION AND YOUTH

| | |
|---------|--------------------------------------------------------------------------------|
| SB 79 | Elective Courses on the Bible |
| SB 390 | Classroom First for Georgia; local schools spend 65 percent of operating funds |
| SB 413 | Parental Permission to Withdraw; Student Participation in Clubs |
| SB 442 | Child Abuse Reporting; change provisions |
| SB 468 | High Performance Principals; grant program |
| SB 515 | Expansion of Eligibility for Remedial Education; IEPs |
| SB 610 | Charter Schools; computer/internet based instruction |
| SB 618 | Children in State Custody; enrollment eligibility |
| HB 543 | Education; local boards; allow certain donations of sick leave |
| HB 972 | Teacher Certification Renewal; require test in basic computer skill competency |
| HB 984 | Parent in Military Service; five excused absences |
| HB 1227 | Agricultural Education Oversight Commission; create |
| HB 1241 | Eligibility Conditions for Student Athletes |
| HB 1316 | High School Athletics Overview committee; create |
| HB 1358 | Class Size Requirements; change provisions |
| HB 1483 | Public Hearings; local salary supplement amount |

ETHICS

No legislation assigned to this committee passed the General Assembly during the 2006 Legislative Session.

FINANCE

| | |
|---------|-------------------------------------------------------------------------|
| SB 597 | County Board of Tax Assessors: Recovery of Litigation Costs By Taxpayer |
| SB 585 | Tax Execution Transfers |
| SB 562 | Creation of the Georgia Higher Education Facilities Authority |
| SB 525 | Issuance of Tax Executions by Tax Commissioners |
| HB 81 | Homestead Exemption: Surviving Spouse |
| HB 111 | State Sales Tax Collections; Non-Resident Contractors |
| HB 173 | Ad Valorem Tax Exemption: Veterans' Organizations |
| HB 194 | Income Tax Credit: Teleworking |
| HB 304 | Local Regulatory Fees |
| HB 560 | County Board of Tax Assessors: Valuation of Property |
| HB 834 | Sales and Use Tax Exemption: Swine Production |
| HB 841 | Sales and Use Tax Exemption: Job Training Programs |
| HB 848 | Homestead Exemption: Senior Citizens; |
| HB 970 | Natural Gas and Propane Gas Tax Suspension |
| HB 1014 | Sales and Use Tax Exemptions: Government Contractors |
| HB 1018 | Sales and Use Tax Exemption: Biomass Materials |
| HB 1030 | Excise Tax: Lodgings |
| HB 1040 | Fair Market Valuation: Carpet Samples and Raw Materials |

| | |
|---------|-----------------------------------------------------------------------|
| HB 1042 | Annual Accounting Periods |
| HB 1080 | Income Tax Credit: Child and Dependent Care |
| HB 1107 | Income Tax Credit: Conservation Use Property |
| HB 1120 | Tax Returns: Estimated Tax Liability |
| HB 1121 | Sales and Use Tax Exemption: National Infantry Museum |
| HB 1160 | Income Tax: Adjustments |
| HB 1182 | NASCAR Hall of Fame Sales Tax Exemption |
| HB 1219 | Sales Tax Holiday: School Supplies & Energy Efficient Products |
| HB 1244 | Motor Fuel Tax Exemption: Public University Transit and Rural Systems |
| HB 1249 | Ad Valorem Taxation: Watercraft Inventory |
| HB 1272 | Sales Tax Exemption: Nonprofit Health Clinics |
| HB 1293 | Conservation Use Properties |
| HB 1301 | Sales and Use Tax Exemption: Food Banks |
| HB 1305 | Seed-Capital Fund |
| HB 1310 | Revenue and Taxation Revisions |
| HB 1361 | Redevelopment Powers Law |
| HB 1403 | Distribution of SPLOST Proceeds With New Municipalities |
| HB 1506 | Sales and Use Tax: Criminal Penalties |

HEALTH AND HUMAN SERVICES

| | |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| SB 77 | Feticide; parental notification; define/eliminate terms; provide reports |
| SB 208 | Central Registry for Traumatic Brain/Spinal Injuries; create state-wide |
| SB 480 | Georgia Qualified Medication Aides Act; provide for delegation of certain nursing tasks; Georgia Board of Examiners of Licensed Practical Nurses |
| SR 435 | System of Stroke Care; urge Ga. to pass legislation to establish system |
| SR 785 | Joint Comprehensive State Trauma Services Study Committee; create |
| SR 789 | Community Health, Dept. of; Health/ Strategies Council; urge to revise Perinatal (Obstetric/Newborn Level 1) Service Area 3; Forsyth County |
| SR 1027 | Court Surcharges and Additional Fines, Senate Study Committee; create |
| HB 246 | Prescription drug orders; electronic transmission; amend provisions |
| HB 266 | Chiropractors; board of examiners; additional authority |
| HB 801 | Physical therapists; licenses; eliminate certain requirement |
| HB 832 | Physician's assistants; handling of professional samples |
| HB 873 | Physician's assistants; public health or state of emergency; render assistance |
| HB 1008 | "Georgia Hospice Law"; palliative care; amend provisions |
| HB 1054 | Controlled substances; certain classes; change provisions |
| HB 1066 | Metabolic and genetic disorders; system for screening newborns; change provisions |
| HB 1092 | Suicide Prevention Program; create |
| HB 1112 | Speech-language pathologists and audiologists; licensing; change provisions |
| HB 1178 | Prescription drugs; unused; medically indigent persons; establish program |
| HB 1223 | County Board of Health; contracts; revise certain provisions |
| HB 1224 | Health Share Volunteers in Medicine Act; revise certain definitions |
| HB 1308 | Nursing homes; fees; change certain provisions |
| HB 1451 | Long-term Care Partnership Program; revise certain definitions |

HIGHER EDUCATION

| | |
|---------|------------------------------------------------------------------------------|
| SB 415 | Surviving Spouses Eligible for HERO Scholarship |
| SB 436 | State Board of Technical/Adult Education; meetings |
| SB 506 | Mandatory Fees for Newly Created Post-Secondary Institutions |
| SB 561 | Students in Professional Level Programs eligible for HOPE |
| SR 769 | International Baccalaureate Diploma; urge Board of Regents to create program |
| HB 1083 | Georgia Medical Center Authority; change definitions |
| HB 1228 | Career and Technical Education Oversight Commission; create |
| HB 1252 | Driver Training Schools; definitions |
| HB 1294 | Nonlapsing Revenue of Institutions |
| HR 1258 | Appalachian Studies Center; Georgia's official center |

INSURANCE AND LABOR

| | |
|---------|-------------------------------------------------------------------------------------------------------------------|
| SB 236 | State Employees Insurance; coverage for surviving dependents/spouse |
| SB 286 | Employees; legislative branch; state merit system; optional coverage; repeal |
| SB 384 | Interstate Insurance Product Regulation Compact; enact; regulate designated insurance products; create commission |
| SB 385 | Insurers; investments in the obligations of certain Canadian cities |
| SB 472 | Public Officers/Employees; provide for meritorious award program; definitions; establishment/implementation |
| SB 486 | Employment Security Law; exempt direct sellers from definition of employment |
| SB 531 | Motor Vehicle Liability Policies; uninsured motorist coverage; change certain provisions |
| HB 425 | Insurers; permit food and refreshments under certain circumstances |
| HB 1126 | Correctional officers; insurance benefits; provide exemption |
| HB 1240 | Workers' compensation; certain requirements; provide |

HB 1257 Insurance; certain change of address filings; exempt from fee
 HB 1291 Automobile clubs; regulate
 HB 1304 Life insurance; proceeds; provisions
 HB 1326 State-wide Reserve Ratio; contribution rates; change certain provisions
 HB 1371 The Pharmacy Audit Bill of Rights; enact
 HB 1372 State health benefit plans; termination of coverage; provisions
 HB 1405 Workers' compensation; time frame for claim to be documented; require
 HB 1444 Insurance; insolvencies; amend provisions
 HB 1456 Accident and sickness policy; age of dependent; provisions
 HB 1484 Personal insurance; insurable interest; clarify circumstances

INTERSTATE COOPERATION

HB 1067 Georgia Commission on Interstate Cooperation; certain provisions; amend

JUDICIARY

SB 135 Pretrial Proceedings; indictment for children; jurisdiction for Superior Court
 SB 136 Juvenile Proceedings; bail for delinquent children
 SB 203 Public Defenders; recovery of attorney's fees and costs for providers of indigent defense services
 SB 238 Torts; immunity from civil liability for non-profit organizations
 SB 253 Certificate of Permanent Location; requirements; change provisions
 SB 306 Hospital/Nursing Home Liens; change notice/filing provision; effect of release
 SB 382 Child Support; calculations; definitions; appeal process; change provisions
 SB 396 Crimes; person who is attacked has no duty to retreat; provide immunity from prosecution
 SB 398 Criminal Proceedings; plea of insanity; revise procedures of psychiatric evaluations
 SB 503 Ga. Public Defender Standards Council; legal services to indigent persons; change provisions
 SB 530 Property; liens; change provisions; conditions; value
 SB 533 Statutory Living Will Form; revise
 SB 534 Trustee's Compensation schedule of conservators
 SB 572 Medical Assistance Managed Care Fraud; establish; define crime; administrative hearings/appeals; change certain provisions
 SR 700 Juvenile Law Commission; creating/continuing
 SR 793 Ga. Public Defender Standards Council; ratifying the initial minimum standard; Standard for Removal for Cause
 SR 954 Performance Standards; ratifying the initial minimum standard; fiscal impact
 SR 955 Performance Standards in Juvenile Court; ratifying the initial minimum standard; fiscal impact
 SR 1027 Court Surcharges and Additional Fines, Senate Study Committee; create
 HB 57 State ordered executions; protect physicians and medical professionals licensure
 HB 239 Civil practice; settlement offers; litigation costs
 HB 268 District attorneys, assistant district attorneys, district attorney investigators; compensation
 HB 376 Juries; exemption for caregivers of certain children
 HB 692 Probation; terms and conditions; amend
 HB 718 Pretrial intervention and diversion programs; authorize certain courts to administer
 HB 847 Juvenile Proceedings; Emancipation of minors by petition
 HB 989 Clerks of superior courts; real estate or personal property filing fees; sunset dates; change
 HB 1059 Sexual offenders; punishment; registration requirements; change provisions
 HB 1073 Houston Judicial Circuit; number of judges
 HB 1145 Juvenile mental health proceedings; change provisions
 HB 1193 Vehicles; false or secret compartments; prohibit owning or operating
 HB 1195 Civil case; complaints and judgments; change provisions
 HB 1288 Municipal court clerks; required training; provide
 HB 1302 Georgia Street Gang Terrorism and Prevention Act; change certain provisions
 HB 1313 Eminent domain; comprehensive revision of provisions; provide
 HB 1335 Law enforcement officer; Hiring; First offender record; Review
 HB 1399 Magistrate's salary; waiver; provide
 HB 1417 Administrative Office of the Courts; assist board of jury commissioners; allow
 HB 1421 Demand for trial; defendant present in court; require
 HB 1496 Waycross Judicial Circuit; term of court; change
 HR 1306 Special elections; sales and use taxes; provisions
 HR 1558 House Study Committee on Biological Privacy; Create

NATURAL RESOURCES AND THE ENVIRONMENT

SB 95 Soil Scientists Licensing Act
 SB 191 Expedited Review of Environmental Permits; Flint River Basin Permits
 SR 818 Creates the Senate Septage Disposal Study Committee
 SR 838 Urges Full Funding for Hazardous and Solid Waste Trust Funds
 SR 1195 Urges the Environmental Protection Division to Allow Electric Generation Facilities
 SR 1133 Urges Endangered Species Act Reform
 HB 338 Scopes on Musselloading Firearms; Computer Hunting; Importation of Live Cervids (Deer)
 HB 695 Disabled Assistants Act
 HB 724 Allows Plumbers to Connect Septage Lines

| | |
|---------|---------------------------------------------------------------------------|
| HB 1085 | Increases Creel and Possession Limits for Finfish |
| HB 1319 | Georgia Environmental Facilities Authority; Georgia Land Conservation Act |
| HB 1320 | Comprehensive Litter Abatement Act of 2006 |
| HB 1424 | Deer Hunting with Dog Permits |
| HB 1490 | Requires Vessel Registration; Prohibits Certain Boats on Certain Lakes |
| HR 1551 | Creates the Joint Comprehensive Water Desalination Study Committee |

PUBLIC SAFETY AND HOMELAND SECURITY

| | |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------|
| SB 27 | Private Military Vehicles; registration; implement rules/regulations |
| SB 381 | State Flags; qualifying public safety officers killed in the line of duty; honor service |
| SB 454 | Law Enforcement Vehicles; require patrol vehicle markings for Georgia State Patrol |
| SB 462 | Sheriffs; authority of courthouse security; remove courthouses/jails from list of properties protected |
| SB 481 | Motor Vehicles; registration/licensing; permit military personnel; minimum motor vehicles liability insurance through purchase in other states |
| SB 520 | Public Safety, Board of; authorize to provide badge/revolver to sworn officers; state patrol; change provisions |
| SB 529 | Georgia Security/Immigration Compliance Act; persons who are not lawfully present in the U.S.; comprehensive regulation |
| SB 532 | United States Nuclear Regulatory Commission; enhance the protection of licensed facilities |
| SB 570 | Motor Vehicles; windshields; reduce light transmission/increase light reflectance; authorize certified optometrist to provide attestation |
| SB 581 | Georgia Public Safety Training Center; emergency medical personnel; provide training; change certain provisions |
| SB 606 | Funerals; prohibit disruptive conduct; elements of such offense; provide criminal penalty |
| SB 619 | License Plates, Special; persons with brain-related disorders/disabilities; provide for issuance, renewal, fees |
| SB 637 | Georgia Driver's Education Commission; change membership; distribution of fines/forfeitures; definition |
| SR 1170 | National Bio and Agro-Defense Facility; urge Governor to continue pursuit; expressing Senate's support of his efforts |
| HB 276 | Motor vehicles; licensing of ignition interlock device providers |
| HB 363 | Motor vehicles; state vehicles; license plates; requirements |
| HB 513 | Drivers' licenses; certain records; furnish to Georgia Bureau of Investigation |
| HB 710 | Special license plates; identifying persons with diabetes |
| HB 728 | Mattie's Call Act; Kimberly's Call Act |
| HB 959 | Mallory's Act; permanently disabled persons; parking permits; amend provisions |
| HB 1006 | Prestige license plates; Breast Cancer; distribution of renewal fees |
| HB 1019 | Taser Certification Act |
| HB 1032 | Licenses to carry pistol or revolver; temporary renewal permit; provide for restrictions |
| HB 1052 | Motor vehicles; distinguishable transporter license plate; provisions |
| HB 1053 | Prestige license plates |
| HB 1193 | Vehicles; false or secret compartments; prohibit owning or operating |
| HB 1209 | Dept. of Public Safety; motorcycle enforcement program; provisions for payment |
| HB 1216 | All-terrain vehicles; law enforcement agencies; allow use |
| HB 1217 | Disabled persons; parking permits; provide |
| HB 1236 | Motor vehicles; registration; place of return; amend |
| HB 1253 | Drivers' licenses; certain provisions; clarify |
| HB 1392 | Drivers; right of way violation; collision; provide penalties |
| HB 1497 | Vicious dogs; requirements for owners; provide |
| HR 1564 | Special license plates; dedicate revenue; provisions - CA |

REAPPORTIONMENT AND REDISTRICTING

| | |
|---------|----------------------------------------------------------------------------------------|
| SB 386 | Senate Districts in Hall, Walton, Madison, Barrow, Oconee, and Athens-Clarke Counties |
| HB 1137 | House Districts in Gordon, Murray, Bartow, Fulton, Gwinnett, Glynn, and Wayne Counties |

REGULATED INDUSTRIES & UTILITIES

| | |
|---------|-----------------------------------------------------------------|
| SB 120 | Emerging Technologies |
| SB 145 | Cosmetologists, Estheticians, and Hair Designers |
| SB 209 | Issuance of Gas Supply Plan Orders by Public Service Commission |
| SB 210 | Filing of Public Service Commission Orders in Superior Court |
| SB 547 | Real Estate Appraisers: Conflicts of Interests; Board |
| SR 865 | Urge Building of Additional Nuclear Power Generation Plants |
| HB 910 | Cemeteries and Funeral Services |
| HB 1075 | Increase Used Car Retailer Bond |
| HB 1248 | Alcohol Beverages: Tax Stamps Repeal; Bonding; Applications |
| HB 1259 | Private Detectives and Private Security Agencies |
| HB 1385 | Private Building Plan Reviews |
| HB 1436 | Wine Bottle Purchases in Restaurants |
| HB 1542 | Residential and General Contractors |

RETIREMENT

| | |
|---------|----------------------------------------------------------------------------------------------|
| SB 177 | Teachers Retirement System; change benefit formula; provide conditions |
| SB 244 | Magistrates Retirement Fund; create board of commissioners; powers |
| HB 101 | Peace Officers' Annuity and Benefit Fund; certain creditable service |
| HB 149 | Garnishment; exempt certain IRAs |
| HB 251 | Judges of the Probate Courts Retirement Fund; designating surviving beneficiary |
| HB 344 | Firefighters' Pension Fund; return to service after retirement; benefit |
| HB 379 | Employees' Retirement; disability benefits; eligibility provisions |
| HB 400 | Teachers Retirement; postretirement benefit increase; provisions |
| HB 644 | Employees' Retirement; allowable service; change provisions |
| HB 660 | Firefighters' and Class Nine Pension Funds; certain active military duty; creditable service |
| HB 749 | Firefighters' Pension; certain active military duty; creditable service |
| HB 809 | Superior Court Clerks' Retirement; survivors benefits; amend provisions |
| HB 821 | Judicial Retirement; certain judges or district attorneys; creditable service |
| HB 1020 | Retirement; allowances; withdrawal of contributions; amend provisions |
| HB 1151 | Deferred compensation plan; Board of Trustees; administer |

RULES

| | |
|---------|--------------------------------------------------------------------------------------------|
| SB 64 | Law Enforcement Motor Vehicles; blue lights on roof; enforce requirement |
| SB 484 | Colquitt, City of; declare as Georgia's First Mural City |
| SR 649 | Court of Appeals of Georgia; congratulate on 100th anniversary |
| SR 764 | Hamas; Palestinian elections; expressing dismay |
| SR 961 | United States Congress; urged to enact S. 520 and H.R. 1070 |
| HB 343 | Valdosta State University's Peach State Summer Theatre; designate official musical theatre |
| HB 713 | Ronald Reagan Day in Georgia; designate February 6 annually |
| HB 941 | Division of Archives and History; recognize religious heritage; provisions |
| HB 978 | Capitol Art Standards Commission; create |
| HB 1211 | Southern Appalachian brook trout; official state cold water game fish; designate |
| HB 1246 | State flag; deceased Georgia elected state officials; provide |
| HB 1292 | Prison Chaplains Appreciation Day; create |
| HB 1502 | State revenue commissioner; property appraisal and assessment; provide |

SCIENCE AND TECHNOLOGY

| | |
|---------|---------------------------------------------------------------------|
| SB 455 | Distribution of Personal Information by Telecommunications Carriers |
| SR 111 | Federal Can-Spam Act |
| HB 1055 | Require Public Schools to Adopt Internet Use Policies |
| HB 1290 | Prohibit Dissemination of Customer Phone Records |
| HB 1307 | <i>Georgia Register</i> . Require Electronic Publication |

SPECIAL JUDICIARY

| | |
|---------|--------------------------------------------------------------------------------|
| SB 195 | Georgia Museum Property Act; Abandoned Museum Property |
| SB 419 | Requires Retailers to Hold Lottery Proceeds for Child Support Payment Recovery |
| SB 465 | Corrects Errors and Omissions in the O.C.G.A. |
| SB 466 | Corrects Errors and Omission in Title 47 of the O.C.G.A. |
| SB 467 | Corrects Errors and Omissions in Title 21 of the O.C.G.A. |
| SB 469 | Updates Corporation Code in the O.C.G.A. |
| SB 573 | Construction Defect Disputes; Escrow Funds for Construction and Development |
| SB 638 | Liens on Aircraft Service |
| HB 594 | Changes Basis for Bail Bondsmen Fees to Include Principal and Surcharges |
| HB 804 | Repeals Barratry Laws |
| HB 912 | Additional Requirements for Nonparty Discovery Requests |
| HB 1273 | Dispossessory Proceedings |
| HB 1282 | Allows Notices of Real Estate Settlements to be filed in Superior Court |

STATE AND LOCAL GOVERNMENT OPERATIONS

| | |
|---------|------------------------------------------------------------------------------------------------------------------------------------|
| SB 84 | Polls; change forms of identification |
| SB 202 | Budgets/Audits; local government; grant requirements; subrecipients |
| SB 260 | General Assembly; furnishing/approval of bonds; repeal provisions |
| SB 399 | Municipal Corporation; special services district; within 3 miles of noncontiguous area treated as same noncontiguous area |
| SB 450 | Ad Valorem Taxation of Property; revise pay structure of certain county officers/officials; provide recalculation of min. salaries |
| SB 500 | 2006 Georgia Accuracy in Elections Act; permanent paper record of votes; provide for pilot program/electronic voting |
| HB 1044 | Firearms; carrying and possession; municipal and city court judges; amend provisions |
| HB 1143 | Dublin, City of; board of education; provide additional authority |
| HB 1162 | Department of Community Affairs; Section 8 housing fraud; require investigation |
| HB 1423 | Gwinnett County; superior court; change terms |

| | |
|---------|---------------------------------------------------------------|
| HB 1435 | Voting; persons with disabilities; provisions |
| HB 1501 | County ordinance violations; maximum fines; change provisions |

STATE INSTITUTIONS AND PROPERTY

| | |
|---------|---------------------------------------------------------------------------------------------|
| SB 44 | Corrections; contracts with private detention/diversion centers; regulations |
| SB 592 | Disposition of Surplus Property; sale of certain property by fixed price; change provisions |
| SR 760 | Dr. Eddie Marlow Medical Clinic; dedicate |
| SR 823 | Public Property; conveyance; 13 counties |
| HB 1318 | Board and Department of Corrections; employee benefits; provisions |
| HR 1259 | Chatham, Coweta, Douglas, Grady, and Muscogee counties; easements; authorize |
| HR 1395 | Wiley T. Nixon Capitol Post Office; name |

TRANSPORTATION

| | |
|---------|---------------------------------------------------------------------------------------------------------------------------------|
| SB 115 | MARTA; reserve fund interest income used to pay operating cost; provision |
| SB 150 | Georgia Community Streetcar Development/Revitalization Act; implement program |
| SB 285 | Trains, Operation of; signal whistles; lights; remove certain provisions |
| SB 578 | Commercial Waste Tank Truck; rules/regulations of Dept. of Human Resources |
| SB 636 | Biodiesel Fuel; define term |
| SR 282 | John Lee Drake, Sr., Highway; dedicate |
| SR 433 | Designate; Mayor Johnny Bradfield Highway; Telfair County |
| SR 434 | Designate; Martin Luther King, Jr., Blvd.; Telfair County |
| SR 639 | SGT Mike Stokely Memorial Highway; dedicate (PF) |
| SR 686 | Designate; J. Alton Wingate, Sr. Memorial Parkway; Habersham County |
| SR 849 | Kimberly Boyd Memorial Bridge; dedicating |
| SR 864 | SGT Mike Stokely Memorial Highway; dedicating |
| SR 873 | Parish, Emory; commend |
| SR 1028 | Dr. Luke Glenn Garrett, Jr. Memorial Highway; dedicate |
| SR 1034 | SGT Mathew Vincent Gibbs Memorial Bridge; dedicate |
| SR 1093 | Durward (Red) Murphy Memorial Bridge; dedicate |
| SR 1094 | Charles S. (Buddy) Cowan, Jr. Memorial Bridge; dedicate |
| HB 654 | All-terrain vehicles; additional definitions; provisions |
| HB 954 | Public transportation; sale or exchange of tokens, transfers, transaction cards, or tickets without consent, repeal prohibition |
| HB 955 | MARTA; public records relating to fare payment system; exempt from disclosure; provide |
| HB 1097 | Outdoor advertising signs; restriction; amend |
| HB 1106 | Weight of vehicle and load; hauling of construction aggregates; include |
| HB 1177 | Department of Transportation; certain projects; bonding amounts; provisions |
| HB 1190 | State Road and Tollway Authority; collection of unpaid tolls; amend |
| HB 1275 | Commercial driver's license; violation; provide for revocation |
| HR 413 | Warren V. Johnson Bridge; designate |
| HR 1041 | J.T. Williams Honorary Bridge; designate |
| HR 1109 | Samuel Ernest Vandiver, Jr. Interchange; dedicate |
| HR 1169 | Colonel R. H. Burson Bridge; designate |
| HR 1302 | Stephen J. Schmidt, Sr. Memorial Highway; dedicate |
| HR 1491 | Private James Boggan Memorial Bridge; name |
| HR 1548 | Chambers Crossing; dedicate |
| HR 1661 | Hershel Stokes Memorial Overpass; dedicate |

VETERANS AND MILITARY AFFAIRS

| | |
|---------|-----------------------------------------------------------------------------------------------------------------------------|
| SB 523 | License Plates; special; honoring family members of service members killed in action; issuance; renewal; fees |
| SB 538 | License Plates, Special; supporting Global War on Terrorism and Iraqi Freedom; provide issuance; renewal; fees |
| SB 539 | License Plates, Special; supporting Global War on Terrorism and Operation Enduring Freedom; provide issuance; renewal; fees |
| HR 1425 | United Services Organization; 65th anniversary; commend |

